

02-08-01

A

Attorney Docket No.: E1067/20025

Customer No. 03000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicants : Joseph Gross and Haim Danon

Serial No. : Divisional Application of ASN
09/202,176 filed on June 1, 1999

Filed : February 6, 2001

For : METHOD OF MAKING NEEDLE FOR
SUBCUTANEOUS DELIVERY OF
FLUIDS

Group Art Unit : 3763

Examiner : Manny Mendez

REQUEST FOR FILING A CONTINUING APPLICATION
UNDER 37 CFR §1.53(b)

Commissioner for Patents
Washington, D.C. 20231

Sir:

**THIS IS NOT A CPA NOR AN RCE; PLEASE DO NOT ABANDON THE PARENT
APPLICATION, NAMELY, A.S.N. 09/202,176.**

This is a request for filing a divisional application under 37 CFR §1.53(b), of pending
prior A.S.N. 09/202,176 filed on June 1, 1999 for NEEDLE FOR SUBCUTANEOUS FLUID
DELIVERY.

Enclosed is a copy of the prior application which was filed under 35 USC §371 (see
PCT/IE97/00041), including the Declaration as originally filed.

02/06/01
J1025 U.S. PTO

JC962 U.S. PTO
09/78268
02/06/01
JC

Before calculation of the filing fee, please cancel Claims 1 - 15 and 19 - 24.

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC - \$ 710 FEE
Total Claims	<u>3</u>	- <u>20</u> = 0	x \$18	\$ 0
Independent claims	<u>1</u>	- <u>3</u> = 0	x \$80	<u>\$ 0</u>
Total Filing Fee				\$ 710

The Commissioner for Patents is hereby authorized to charge any fees which may be required, and to credit any overpayment to Account No. 03-0075. A duplicate copy of this sheet is enclosed.

Seven (7) sheets of drawings are enclosed.

The Power of Attorney in the prior application is to Marla J. Church (Reg. No. 29,908), Mary L. Severson (Reg. No. 34,927), and Kathleen M. Lynch (Reg. 33,957). The Associate Power of Attorney in the prior application, and to which all correspondence from the United States Patent and Trademark Office should be directed, is to Alan H. Bernstein (Registration No. 19,315); Stanley H. Cohen (Registration No. 20,235); Manny D. Pokotilow (Registration No. 22,492); Barry A. Stein (Registration No. 25,257); Martin L. Faigus (Registration No. 24,364); Eric S. Marzluf (Registration No. 27,454); Robert S. Silver (Registration No. 35,681); Scott M. Slomowitz (Registration No. 39,032); Michael J. Berkowitz (Registration No. 39,607); David M. Tener (Registration No. 37,054); James J. Kozuch (Registration No. 39,733), Frank M. Linguiti (Registration No. 32,424), Gary A.

Greene (Registration No. 38,897); Marilou E. Watson (Registration No. 42,213); Michael J. Cornelison (Registration No. 40,395); and Christopher Marrone (Registration No. 46,101); care of Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., 12th Floor, Seven Penn Center, 1635 Market Street, Philadelphia, PA 19103-2212. A copy of the Associate Power of Attorney is enclosed herewith.

The prior application is assigned to Elan Medical Technologies and was recorded on July 17, 1999 under Reel 010119/Frame 0013.

A Preliminary Amendment is enclosed.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

By

Barry A. Stein
Reg. No. 25,257
Customer No. 03000
12th Floor, Seven Penn Center
1635 Market Street
Philadelphia, PA 19103-2212
(215) 567-2010
Attorneys for Applicants

February 6, 2001

PATENT APPLICATION

**CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.**

**12th Floor
Seven Penn Center
1635 Market Street
Philadelphia, PA 19103-2212**

Attorney Docket No.: E1067/20025
Customer No. 03000

Date: February 6, 2001

AMENDMENT TRANSMITTAL

In re the Application Joseph Gross and Haim Danon

Application No.: Divisional of 09/202,176
Filed: February 6, 2001

Group Art Unit: 3763
Examiner: Manny Mendez

Jc962 U.S. PTO
09/778268
02/06/01

For: METHOD OF MAKING NEEDLE FOR SUBCUTANEOUS DELIVERY OF FLUIDS

Commissioner for Patents
Washington, D.C. 20231

Sir:

- Transmitted herewith is an Amendment in the above-identified application.
- A verified statement to establish small entity status under 37 C.F.R. §§1.9 and 1.27 is enclosed.
- Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.
- The filing fee has been calculated as shown below:

	(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ADD'L FEE	RATE ADD'L FEE
TOTAL CLAIMS	3 MINUS	** 20	= 0	x 9 \$	x 18 \$ 0
INDEP CLAIMS					
	1 MINUS	*** 3	= 0	x 40 \$	x 80 \$ 0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					
				135 \$	270 \$ 0
				\$	\$ 0

* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" in this space (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior Amendment or the number of claims originally filed.

The Commissioner is hereby authorized to charge payment of any further filing fees under 37 C.F.R. §1.16 for presentation of extra claims or credit any overpayment to Deposit Account No. 03-0075. A duplicate copy of this sheet is attached if any fees are calculated to be due.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN
COHEN & POKOTILOW, LTD.

By

Barry A. Stein
Reg. No. 25,257